

Remarks/Arguments

The preceding amendments and following remarks are submitted in response to the Official Action of the Examiner mailed January 26, 2006. Claims 1-2, 5-20, 32-64 remain pending. Claims 3-4 and 21-31 have been canceled without prejudice, and claims 34-64 have been added. Reconsideration, examination and allowance of all pending claims are respectfully requested.

As a preliminary matter, Applicant filed an IDS on October 13, 2004. However, an initialed copy of the FORM-1449 filed with the IDS was not included with the January 26, 2006 Office Action. *Applicant respectfully requests that the Examiner provide an initialed copy of the FORM-1449's filed on October 13, 2004 in due course.*

On page 5 of the Office Action, the Examiner indicates that claims 16-20 are allowed. The Examiner also includes that claims 3-4 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the elements of claim 3, along with some other clarifying amendments. As such, claim 1 is believed to be in condition for allowance. For these and other reasons, dependent claims 2, 35-44, and 59-64 are also believed to be in condition for allowance.

New claim 34 includes the elements of claims 1 and 4, along with some other clarifying amendments. As such, claim 34 is believed to be in condition for allowance. For these and other

reasons, dependent claims 45-58 are also believed to be in condition for allowance. For similar and other reasons, independent claim 5, as amended, and dependent claims 6-9 are also believed to be in condition for allowance.

Turning now to claim 10, which now recites:

10. (Currently Amended) A bumper member, comprising:
an elongated bumper having an elongated cavity extending lengthwise along the elongated bumper with an elongated opening extending along at least part of the length of the elongated cavity and from the elongated cavity to an outer surface of the elongated bumper member for receiving an elongated light source;
and
an elongated plug for plugging at least part of the elongated opening cavity once an elongated light source is installed in the cavity, the elongated plug and elongated bumper forming an interference fit to help retain the elongated plug in the installed position.

With respect to claim 10, and on page 2 of the Office Action, the Examiner states:

Huang discloses an elongated bumper (1, fig. 2), having an elongated bumper member (1, fig.2) having a lumen extending lengthwise (35, fig. 2) therethrough for receiving an elongated light source (2, fig. 2) and at least one tab (not numbered, fig. 6) secured to the elongated bumper member for securing the elongated bumper member to a mounting surface (vehicle).

Applicant notes that neither Figure 2 nor Figure 6 of Huang appear to show many of the elements of claim 10 including, for example: (1) an elongated bumper having an elongated cavity *extending lengthwise along the elongated bumper with an elongated opening extending along at least part of the length of the elongated cavity and from the elongated cavity to an outer surface of the elongated bumper member* for receiving an elongated light source; or (2) *an elongated plug* for plugging at least part of the *elongated opening* once an elongated light source is installed in the cavity, *the elongated plug and elongated bumper forming an interference fit to help retain*

the elongated plug in the installed position. Furthermore, the Examiner has not alleged that Huang discloses a plug at all. As noted in MPEP § 2131:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

For these and other reasons, claim 10 is believed to be clearly patentable over Huang.

Also with respect to claim 10, and on page 3 of the Office Action, the Examiner states:

Tufte discloses an elongated bumper (70, fig. 6), having an elongated bumper member (70, fig. 6) having a lumen extending lengthwise (66, fig. 6) therethrough for receiving an elongated light source (68, fig. 6, col. 4, lines 43-64) and at least one tab secured to the elongated bumper member for securing the elongated bumper member to a mounting surface (72, fig. 6).

Again, Applicant notes that nothing here appears to allege that Tufte discloses a plug, and in particular, a plug as recited in claim 10. The only mention by the Examiner of an “elongated plug” with respect to Tufte appears to be with respect to claims 11-15, citing Figure 8, item 130 and column 6, lines 29-43 of Tufte. However, this portion of Tufte does not appear to disclose or suggest the features recited in claim 10 including, for example: (1) an elongated bumper having an elongated cavity *extending lengthwise along the elongated bumper with an elongated opening extending along at least part of the length of the elongated cavity and from the elongated cavity to an outer surface of the elongated bumper member* for receiving an elongated light source; and (2) *an elongated plug* for plugging at least part of the *elongated opening* once an elongated light source is installed in the cavity, *the elongated plug and elongated bumper forming an*

interference fit to help retain the elongated plug in the installed position. For these and other reasons, claim 10 is believed to be clearly patentable over Tufte. For similar and other reasons, dependent claims 11-15 are believed to be clearly patentable over Tufte.

Turning not to claim 32, which recites:

32. (Currently Amended) An elongated bumper, comprising:
an elongated bumper member having a length and two ends, the elongated bumper member further having a lumen extending lengthwise therethrough and out at least one of the two ends of the elongated bumper, the lumen for receiving an elongated light source; and
a plug, wherein the plug is adapted to fit into an end of the lumen.

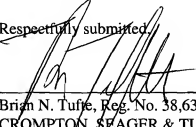
As can be seen, claim 32 recites an elongated bumper member *having a length and two ends*, the elongated bumper member further having a lumen extending lengthwise therethrough *and out at least one of the two ends of the elongated bumper*, the lumen for receiving an elongated light source, the lumen for receiving an elongated light source. Claim 32 also recites *a plug* that is adapted to fit into *an end* of the lumen. Nothing in Huang or Tufte appears to disclose or suggest many of these features. For these and other reasons, claim 32, as amended, is believed to be clearly patentable over Huang and Tufte. For similar and other reasons, dependent claim 33 is also believed to be clearly patentable over Huang and Tufte.

In view of the foregoing, Applicant believes that all pending claims 1-2, 5-20, 32-64 are in condition for allowance. Reexamination and reconsideration are respectfully requested. If the Examiner believes it would be beneficial to discuss the application or its examination in any way, please call the undersigned attorney at (612) 359-9348.

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Respectfully submitted,

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